IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

NICOLA DeIULIIS, a minor, by his Guardian, ANNETTE DeIULIIS, and ANNETTE DeIULIIS, in her own right,	]	**CIVIL DIVISION**
Plaintiffs	]	No. CA 5-1077
vs.	]	The Honorable Donetta W. Ambrose
BOY SCOUTS OF AMERICA NATIONAL COUNCIL,	]	The Honorable Arthur J. Schwab
Defendant.	]	

CONSENT MOTION FOR CONTINUANCE OF SETTLEMENT CONFERENCE

AND NOW comes Plaintiffs, Nicola DeIuliis, a minor by his Guardian, Annette DeIuliis, and Annette DeIuliis, in her own right, by and through their attorneys, Victor H. Pribanic, Esquire, Sherie Lynn Painter, and Pribanic & Pribanic, L.L.C., files the within Consent Motion for Continuance of Settlement Conference and respectfully avers as follows:

1. On October 27, 2005, Defendant filed a Motion for Continuance of Status/Settlement Conference due to a scheduling conflict of the necessary representative of the Defendant's insurance carrier.

2. On November 1, 2005, this Honorable Court filed an Order of Court dated October 28, 2005 which granted in part and denied in part Defendant's Motion for Continuance.

3. Pursuant to the Honorable Arthur J. Schwab's October 28, 2005 Order of Court, the Settlement Conference scheduled for November 8, 2005 was continued to December 1, 2005 at 11:00 a.m.

4. Counsel for Plaintiffs has a mediation scheduled to occur on Thursday, December 1, 2005 at 10:00 a.m. regarding the matter of *Carolyn Stoner-Meneely, Personal Representative of the Estate of Kenneth Stoner, deceased vs. UPMC-Presbyterian Hospital and Rohiit Kumar Sahai, M.D.* at Court of Common Pleas of Allegheny County, Pennsylvania docket number GD 04-6654.

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5. Counsel for Plaintiffs is therefore unable to attend the Settlement Conference presently scheduled for December 1, 2005 at 11:00 a.m. in this matter.

6. Counsel for Plaintiffs has conferred with both Defendant's Counsel and this Honorable Court in order to obtain the mutually available dates of December 2, 8 or 9, 2005 within which to reschedule the Settlement Conference in this matter.

7. Counsel for Defendant consents to this Motion for Continuance of Settlement Conference.

WHEREFORE, Plaintiffs, Nicola DeIuliis, a minor by his Guardian, Annette DeIuliis, and Annette DeIuliis, in her own right, respectfully request this Honorable Court continue the Settlement Conference scheduled for December 1, 2005 until one of the mutually available dates for all parties and this Honorable Court.

RESPECTFULLY SUBMITTED,

Victor H Pribanic

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